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Vienna, September 26, N. S.

The pretended Commiſſorial Decree of the Emperor; dictated at Francfort, Sept. 7, 1742, to the publick Diet by the Elector of Mentz.

JOSEPH William Erneſt, Prince and Landgrave of Furſtenberg, &c. Principal Commiſſary of his Imperial Majeſty Charles VII. to the preſent Diet, &c. purſuant to the moſt gracious Orders he has received, ſhall further communicate to the Miniſters, Ambaſſadors, and Envoys here preſent on the Part of the Electors, Princes, and States of the Holy Roman Empire, That whereas his Imperial Majeſty, *out of his indefatigable paternal Care for the true Welfare and inward Tranquillity of the Roman Empire committed to him by the Almighty under the higheſt Charge*, is above all things intentioned on his Part, to prevent in Time whatever might unfortunately give Occaſion to *the Diſturbance thereof*, and to the *farther ſpreading* of the Flames of the preſent War, or to its drawing nearer into thoſe Territories of the Empire, which till now have happily been free from it; and whereas accordingly his Imperial Majeſty, *out of a prevailing Concern for the general Good of the Empire*, had great Cauſe to exhort the Electors, Princes, and States of the Empire, by his Commiſſorial Decree iſſued on the 11th of the Month of Auguſt laſt paſt, *to ſettle and provide Meaſures*, for ſo ſalutary Ends; and this the rather, as it was eaſy to foreſee from the known *unbounded Haughtineſs* of the Court of Vienna, that for want of ſuch ſufficient Meaſures, the ſaid Court would ſeize all Opportunities, by the Means of her Troops conſiſting of Light Horſe, of extending her Hoſtilities farther and farther, even into *ſuch Territories of the Empire as are entirely neutral*: Accordingly it has actually happened, that a conſiderable Number of the Grand Dutcheſs of Tuſcany's Troops, conſiſting of Cavalry and Huſſars, have not only, *in an arbitrary Manner, and without that previous Requiſition enjoyned by the Conſtitutions of the Empire*, made an Irruption into the Territories of the Circle of Franconia, *without any Regard to the Neutrality ſtill ſubſiſting, and ſtrictly obſerved till now, on the Part of the ſaid Circle, but alſo have committed there many Hoſtilities by Robberies, forcing open and plundering Houſes, ruining Gardens, forcibly driving away the Cattle, rendring unſafe the common Highways and Poſt Roads, and breaking the publick Peace by other Violences.*

Now, as it is eaſy to foreſee from hence of what dangerous Conſequence this will prove to the Publick, and that after ſo deſtructive Proceedings in the Territories of a neutral Circle, other *impartial neighbouring Territories* of the Empire will ſoon ſhare the ſame Fate; conſequently that the bloody Scene of War will infallibly be drawn into the very Heart of our dear native Country, to the moſt ſenſible Damage of the Empire in general, and of every State of it in particular, unleſs this impending Danger and Evil is timely prevented by a *vigorous Concert*, and by applying *ſuch powerful Means* as may be required for *obviating them and obtaining Redreſs*, and thereby maintaining the publick Tranquillity and Security of the Empire, at preſent expoſed to the utmoſt Peril: Therefore his Imperial Majeſty, purſuant to the ſacred Duty incumbent on him by his Office, confidently relies on the experienced Love which the Electors, Princes, and States do bear to our native Country, that they will forthwith, as Members of the Empire, truly zealous for its common Welfare, take to heart theſe preſſing dangerous Circumſtances, and no longer delay coming to a *firm Reſolution to take ſpeedy Meaſures* for providing againſt them, ſeeing that the Preſervation of the general Tranquillity of the Empire, expoſed by the *unlimited Views of the Enemy*, to imminent Danger, and to the infallible Hazard of becoming the Theatre of a deſtructive War, do abſolutely require it.

Francfort, Sept. 7, 1742.

A Circular Reſcript ſent by her Majeſty the Queen of Hungary and Bohemia, Archdutcheſs of Auſtria, &c. to all her Miniſters at foreign Courts.

Maria Thereſia, &c.

ANOTHER Commiſſorial Decree of the Emperor, as it is called, has been dictated on the 7th Inſtant at Francfort, for iſſuing which the entring of the Corps of Nadaſdy into the Circle of Franconia is ſtrained into a Pretext.

Some time before this, a certain young Count Torring pretended to ſignalize his ill-timed Zeal for the Service he is in, by publiſhing ſome Writings at Nuremberg full of injurious Expreſſions againſt the Hungarian Nation. We aſcribed to his Youth and Want of Experience that untoward Step of his, and from the Court at Francfort at leaſt expected a little more Diſcretion: But the exceſſive Confidence they place in a third Army of French Auxiliaries, which now are once more overwhelming the Empire, without the previous Conſent of its Members, nay, even without conſulting the Electoral College, has cauſed all Moderation and Decency at once to vaniſh, probably becauſe thoſe have approved of it, whoſe Directions and Dictates muſt be followed.

By them the Court of Vienna is charged with *an unbounded Haughtineſs*, whilſt we only maintain the Defenſive to which they have forced us, for Dominions which likewiſe belong to the Empire, nay, which even have been guarantied to us in the moſt ſolemn and binding Manner by the whole Body of the Empire. And though thoſe foreign Auxiliaries, now for the third time in-

introduced into the Empire in open Breach of the Peace, and contrary to the aboveſaid Conſtitutions of the Empire, in order to carry on the War in Territories under its Protection as aforeſaid, behave there, nay even in the Electoral Dominions of Bavaria, in the Manner notorious all over Germany; whilſt, on the other Hand it can be proved, that our own Forces have obſerved the beſt Diſcipline, and paid ready Money for what they received; yet theſe our Troops are charged with fictitious *Robberies, forcing open and plundering of Houſes, ruining Gardens, forcibly driving away the Cattle, rendring unſafe the common Highways and Poſt-Roads, and breaking the publick Peace by other Violences*, with an empty Shew of Words indeed, yet without any Foundation, unleſs one would conſtrue it into *a violent breaking of the publick Peace, robbing and rendring unſafe the Highways and Poſt Roads*, that our foreſaid Forces treat as Enemies thoſe Frenchmen, who now again are in full March for diſturbing the inward Tranquillity, oppreſſing the common Liberty, and utterly diſtreſſing ſuch *Territories of the Empire as are entirely impartial.*

Who would have believed but two Years ago, that any thing like this would happen in Germany? and how will the lateſt Poſterity even conceive it?

And yet to this amounts all that *indefatigable Care for the true Welfare and inward Tranquillity of the Roman Empire, committed by the Almighty under the higheſt Charge*, ſo much cried up on the other ſide.

It is *out of a prevailing Concern for the general Good of the Empire*, and in order *to prevent the bloody Scene of War from being brought into the very Heart of our dear native Country, to the moſt ſenſible Damage of the Empire in general, and every State of it in particular*, that, at divers Times, three numerous French Armies are introduced into the greateſt Part of the Empire, to paſs through and invade, in a hoſtile Manner, Territories belonging to it. Theſe are the pretended Marks of a *pacifick Diſpoſition*, and of *a prevailing paternal Concern for the Empire*: They are indeed too glaring to infatuate any Perſon in his Senſes; but what is moſt to be abhored, is, that the ſacred Name of the Almighty is ſo much abuſed.

We have made known by our two Reſcripts of the 29th paſt, and of the 16th Inſtant, in what conſiſt the pretended *hoſtile and unbounded Views*, that are aſcribed to us. The Stile uſed in thoſe Reſcripts is vaſtly different from that of the other Side: Yet the pretended *Haughtineſs* of the Court of Vienna is now become an uſual Phraſe, the coarſeſt Reflections from the other Side are to paſs for a Superabundancy of Moderation, and what is approved of in the French, is highly taken amiſs from us, though a diſtinguiſhed Fellow Member of the Empire. In ſo perverſe a Light is every thing looked upon, and to ſuch a Height, alas! is their Infatuation grown. We have teſtifyed in the foreſaid Reſcripts, in the moſt amicable Manner, our Readineſs for renewing Friendſhip, provided the Elector of Bavaria would detach himſelf from France, that is to ſay, fulfil his moſt ſacred Duties, and jointly with us, with other States of the Empire, who have the common Good at Heart, and with foreign Powers, effectually enter into thoſe Meaſures, which are the only ones, by which every Thing may be retrieved. This would be the Means to put a ſpeedy and ſure Stop to thoſe fatal Flames of the War now carrying on in our dear Country, and to ſecure its Tranquillity according to wiſh, not only *for this preſent*, but *for many Years to come*, againſt a Crown, which has notoriouſly always kindled the Fire of War in the Empire, and carried it all over Europe.

We believe it almoſt unneceſſary to add more; Affairs ſpeak of themſelves too plainly, and there muſt be no more of the *noble and valiant German Blood* left in one's Veins, if the *ſpeedy concerting of proper and vigorous Meaſures*, and the *applying of powerful Means for obviating* theſe Evils, and *for obtaining Redreſs*, (to which we alſo, out of the moſt ſincere and beſt Intention, though not in the ſame Senſe, do invite and animate all our Fellow Members of the Empire) ſhould be employed for any other, than ſuch a ſalutary End.

Nothing therefore remains at preſent, but to touch in a few Words, what relates in particular to the entring of Nadaſdy's Corps into the Circle of Franconia.

No one will pretend, nor can maintain, that he who finds himſelf in the Caſe of a juſt Self-Defence, to which he is forced, ſhould have a leſs Right, than the Party which breaks the publick Peace and Tranquillity: Now it is notorious to the whole Empire, that we are in the firſt Caſe, and the Elector of Bavaria in the latter; and beſides, we have for us the moſt binding and ſolemn Guaranty of the Empire. But, even ſuppoſing there was no ſuch Guaranty, yet the very Nature of a Neutrality implies, that what is granted to one Party, ought not to be refuſed to the other. Upon this Principle is grounded the Requiſition we cauſed to be inſinuated to the Directors of the Circle of Franconia ſo early as the 24th of February laſt. And as the particular Diet of the ſaid Circle on the 31ſt of March had made ſome Objections againſt it, we gave ſo full Satisfaction upon them in our Anſwer of the 11th of April, that no farther Reply has been made ſince.

However we did not ſtop there, but Count Nadaſdy, as ſoon as he could do it with Safety, cauſed ſpecial Requiſitorials, with which he was furniſhed, to be duly inſinuated; whereas the whole French Army, in an arbitrary Manner, began their March into the Empire, even before the pretended Commiſſorial Decree of the 11th of Auguſt was dictated at the general Diet of the Empire. It is eaſy to judge from ſuch undeniable Circumſtances, notorious to the whole Empire, whether the ſaid March is not rather to be deemed an arbitrary Invaſion, directly contrary to the 4th Article of the Capitulation, ſworn to on the other Side at the Election, and conſequently owned for valid. What is more, is, that the entering of Nadaſdy's Corps into Franconia, was only intended for freeing the Neighbouring impartial Territories in thoſe Parts of that heavy Burthen of the French Baggage they had for ſo long Time been oppreſſed with. The Elector of Bavaria himſelf had already been petitioned on this very Subject, and Orders had been ſent accordingly on his Part, as pretended ſupreme Head of the Empire. But as the Will and Pleaſure of France at preſent by far *prevails* over that *paternal Concern*, ſo much cried up, theſe Orders met with no more Regard, than was ſhewn to the Complaints made about putting a Garriſon into Herſpruck; on which occaſion all *the paternal Care and well-meaning for the Empire*, was confined within the

the Limits of the Reſcript ſent thereupon to the Imperial City of Nuremberg, that is to ſay, all ended in *giving hopes of taking forthwith into Conſideration, how thoſe Grievances*, acknowledged to be true, *might be ſpeedily redreſſed*: A convincing Proof, that the redreſſing of the Grievances of the States of the Empire, and *the removing of the bloody Scene of War out of the whole Empire*, is not to be brought about by introducing, but by expelling French Troops, at all Times ſo fatal for Germany; and that conſequently, if can be effected only by the Means ſet forth in our two former Reſcripts.

This you are to inſinuate in all proper Places, and we remain, *&c.*

Vienna, Sept. 19, 1742.

Stockholm, Sept. 17, *O. S.* The Generals Lewenhaupt and Bodenbroke were expected Yeſterday Evening. They are to be tried by a Court Martial, which is already named, and of which Feldt Marſhal Hamilton is Preſident.

Copenhagen, Oct. 2. The Court is juſt come to paſs a few Days in this Neighbourhood, at Fridericksberg.

Leipzig, Oct. 4, *N. S.* There are Letters here which mention General Feſtutitz's having follow'd the French to Beraun, in order to ſave ſome Proviſions which the Auſtrians are ſaid to have left there: The latter have loſt, according to the Report of the French, conſiderable Quantities which they had at Konigſaal, as well as ſome Ammunition. By a Letter of the 28th paſt there is Advice, that the aboveſaid General has entirely raiſed the Blockade of Prague. The French have another Detatchment at Leuthmeritz, and a ſmall one towards Zittau, and ſeem to intend to march quite up to the Frontiers of Saxony, in order to ſecure their Magazines. The ſaid Letter adds, that on the next Day, the 29th, the Great Duke would march towards Maillebois, and give a general Battle, if he ſtood his Ground. That the Head Quarters of the Auſtrians were at Oberkowritſch, the Left Wing, commanded by Field Marſhal Khevenhuller, extended to Heylig Creutz, and their Right to Plan, and that the French were at Brammahoff, not above a Quarter of a German Mile diſtant; that there is a little Brook between them, and that the latter have a Wood behind them, where they are making ſome Works, to moleſt which, and to prevent any intended Retreat, Colonel Mentzel and Baron Trenck are ſent round with a Detachment, but there is as yet no News here of their Succeſs, or of any Battle. It is juſt now aſſured, that there has been a great Skirmiſh between ſome Huſſars and the French, among which were part of their beſt Troops, and that the latter were ſhamefully routed, and driven to their Camp, where they were ſuſtained by Count Saxe; yet that the whole French Army was retreating towards Eger, where it will be To-morrow.

Bruſſels, Oct. 6, *N. S.* The Duke de Noailles is gone to Rocroi, and is to viſit all the French Fortreſſes between the Sambre and the Maeze. Before he left Maubeuge, he made ſeveral new Diſpoſitions in the Fortifications, ordered ſome Houſes to be demoliſhed without the Town, and all the Hedges and Trees to be cut down within Cannon-ſhot of the Works. Thirty Pieces of heavy Cannon are arrived at Maubeuge, which they have planted upon the Batteries, and they have brought near 200 Oxen and 600 Sheep into the Town, where they have now a ſtrong Garriſon. They have begun to palliſadoe the little Town of Avennes upon the Mehaigne, and to put their Batteries in order there. At Dunkirk the Governor has hired three of the largeſt Warehouſes in the Town, which are converted into Hoſpitals for their ſick.

Whitehall, October 2.

The King has been pleaſed to grant unto Thomas Wynne, of Bodvean in the County of Carnarvon, Eſq; the Dignity of a Baronet of the Kingdom of Great Britain.

Whitehall, October 1, 1742.

Whereas it has been repreſented to his Majeſty, that on Tueſday the Thirty-Firſt Day of Auguſt laſt, about Eleven or Twelve o'Clock at Night, Mr. Iſaac Decker, Commander of the Cutter, in the Service of the Cuſtoms at Colcheſter, chaſed another Cutter off Felixtow, in the County of Suffolk, Thomas Cobby, Maſter, ſuppoſed to be laden with Run Goods, which Cutter made cloſe for the Shore; and that the Officers purſuing her, were met by thirty or forty Smugglers armed, who kept a conſtant Fire at them, and killed John Mills, one of the Mariners belonging to the Cuſtom-houſe Cutter. For the better diſcovering and bringing to Juſtice the Perſon or Perſons who committed the ſaid Murder, his Majeſty is pleaſed to promiſe his moſt gracious Pardon to any one of them (except the Perſon that actually killed the ſaid John Mills) who will diſcover his Accomplice or Accomplices, ſo as he or they may be apprehended and convicted thereof. HOLLES NEWCASTLE.

And as a further Encouragement for ſuch Diſcovery, his Majeſty is pleaſed to promiſe a Reward of Fifty Pounds to any Perſon or Perſons whatſoever, who ſhall make the ſaid Diſcovery, payable by the Receiver General of his Majeſty's Cuſtoms, on the Conviction of one or more of the ſaid Offenders, over and above what he or they are intitled to by Act of Parliament.

Admiralty-Office, Sept. 24, 1742.

Notice is hereby given, that a Seſſion of Oyer and Terminer and Goal Delivery, for the Tryal of Offences committed on the High Seas within the Juriſdiction of the Admiralty of England, will be held on Tueſday the 9th Day of November next, at Juſtice-hall in the Old Baily, London, at Eight of the Clock in the Morning. Tho. Corbett.

General Poſt Office, London, July 3, 1742.

Whereas divers Perſons, thro' Ignorance or Carleſneſs, frequently put Letters into the General Poſt Offices, and the Receiving Houſes both in Town and Country, directed on board of Ships, and to Foreign Parts, without paying at the ſame Time the Poſtage, as ought to be done; And whereas Letters and Packets are often put into the ſaid Offices with Money and Rings incloſed, and in Fraud of his Majeſty's Revenue, divers Perſons preſume to ſend Letters with falſe and counterfeit Franks;

This is to acquaint the Publick, that no Letters under any of the Circumſtances aforeſaid have any Right by Law to be forwarded.

Note, That Letters going out of Great Britain (except to France, Holland, and Flanders) have by the ancient Uſage of this Office paid the Foreign Poſtage, and are required by the Act of Parliament ſo to do, at the Office in Great Britain where the ſame are firſt put in.

Note alſo, That if ſuch Letters to Foreign Parts are put into any of the Country Offices, the Inland Poſtage of ſuch Letters to London muſt alſo be paid on putting the ſame into ſuch Office.

By Command of the Poſt Maſter General.

George Shelvocke, *Secretary.*